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Criminal Justice Chronicle

**The Newspaper of the South Carolina
Criminal Justice Academy**

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STATE DOCUMENTS



ARE YOU CONVINCED? Greenville Police Chief Harold Jennings gets strapped into "The Convincer" by S.C. State Highway Patrol Lt. C. I. Coleman during a recent demonstration at Greenville's Cleveland Park. "The Convincer"—uh—encourages people to wear seat belts. Chief Jennings was convinced. (Greenville News photo by Alan de Versey, reprinted with permission.)

Criminal Justice Chronicle

The Newspaper of The South Carolina Criminal Justice Academy

Columbia, South Carolina

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Washington Accepts S.C.-Initiated Survey On Enforcement Training

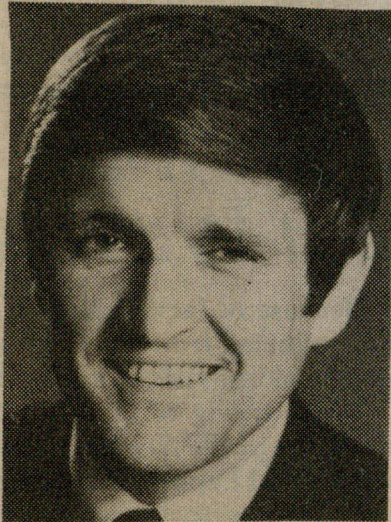
O'Leary Gets NASDLET's Highest Post

Executive Director John A. O'Leary, head of the South Carolina Criminal Justice Academy, was elected president of the National Association of State Directors of Law Enforcement Training at the association's convention in Quantico, Va., in April.

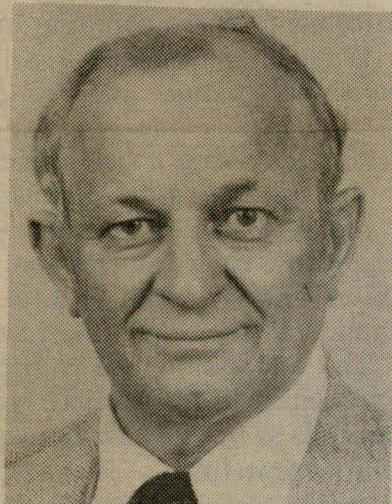
He was sworn in by U.S. Attorney General Edwin Meese.

His election added to South Carolina's high visibility among law enforcement officials in other states. In recent months, the "Crime to Court" training program developed here has become nationally syndicated, and South Carolina provided the driving force for a new comparative survey of peace officer training practices around the country.

O'Leary is also the organizer of an effort to develop a national policy on
(See O'LEARY, Page 3)



JOHN A. O'LEARY



JACK TRULUCK

Our 'Voice' Jack Truluck Dies At 62

Jack Truluck, the "voice" of the S.C. Criminal Justice Academy for the past four years, died April 28.

He was 62 years old.

Truluck -- an award-winning journalist, war hero, former editor, poet, and reporter *par excellence* -- succumbed to complications from a series of illnesses. He retired as director of public information for the Academy in February, when failing health made it impossible to carry on.

Truluck carved his own niche in the public information slot, which was created in 1982. He was able to deal with the press adeptly, from the vantage point of remaining one of their own.

His background was in the newspaper profession, and he was, in that realm,

Attorney General Meese 'Thankful' For Statistics

The S.C. Criminal Justice Academy had the leading role in preparation of a national survey of law enforcement training presented in April to U.S. Attorney General Edwin Meese.

The U.S. Justice Department and law enforcement entities around the nation are expected to use the survey results to target areas for improvement and to determine what states can share resources toward that end.

The Academy's Executive Director John A. O'Leary was chairman of the year-long project for the National Association of State Directors of Law Enforcement Training.

O'Leary gave Meese a personal copy April 16 in Quantico, Va., at the NASDLET annual meeting.

Meese said the survey should be "invaluable" in a national effort to upgrade the training of law enforcement personnel at all service levels.

The statistics were compiled by a monograph survey committee, headed by O'Leary. Other members included Don Titus, data processing coordinator at the Academy, and representatives of training academies in Virginia, Georgia, and Florida. The four state agencies funded the project.

The questionnaire distributed to all the states -- an inch-thick volume itself -- was prepared by the South Carolina Academy's Barbara Bloom, director of administration services and support; Dot Miller, her assistant; and the late Jack L. Truluck, who was director of public information.

NASDLET members received the survey questions last year at the

Houston, Texas, convention. Responses were compiled earlier this year.

"There were no startlingly significant findings," Titus said. "The study produces a wealth of statistical information which will be of value to law enforcement officers all over the nation."

"For example, we've made it possible for states to compare their own training programs, curricula, and teaching materials with those that are used in all the other states. A state that wants to add new criminal justice courses -- or to expand a program -- can tell at a glance which other states have lesson plans and support materials to share."

"We see that as the chief value of the survey."

O'Leary and his staff said they were delighted to see that South Carolina compared favorably with all the states in the quantity and quality of training offered at the Academy.

For example, few other states have central control of their training programs, and that can lead to administrative problems as well as lack of uniformity in training, Titus said.

"We are ahead of 90 percent of the states in several areas," he said. "Our Academy does things that other people have only talked about but never gotten off the ground."

O'Leary said he was especially proud to show the compilation to Meese. The Justice Department has encouraged more and better training for law enforcement officers around the country, and the study puts South Carolina in the forefront of that effort, O'Leary said.

Speed Chase Policy Study Funded Here

The S.C. Criminal Justice Academy has obtained federal backing to develop a national policy on high-speed chases.

Representatives from 15 states will meet later this month in Glencoe, Ga., to begin drafting the policy, which is intended to guide law enforcement officers when suspects or violators flee.

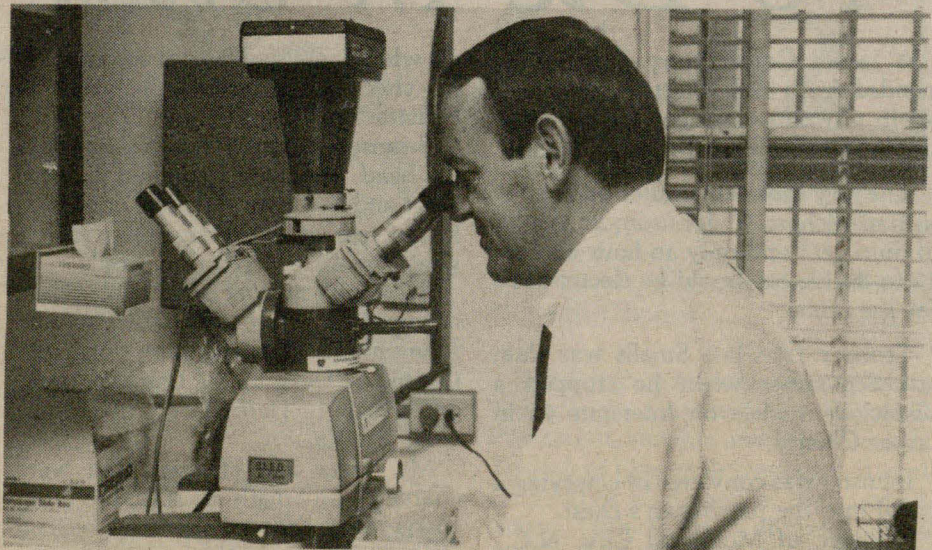
Academy Executive Director John A. O'Leary, will direct the effort.

O'Leary said there are no clear-cut answers to whether a traffic violation or other minor violation warrants a pursuit at high speed, when innocent people can be hurt or killed if they inadvertently get in the way.

"It's not so simple as saying you should or should not pursue," said O'Leary, who as an attorney has represented law enforcement agencies nationwide who have been sued by the victims of tragic chases, or by the victims of crimes committed by violators who were not pursued.

"All I can do as a lawyer is suggest some policies and explain some risks," O'Leary said.

The Academy presently trains all state law enforcement officers how to handle



SLED AGENT EARL WELLS examines hairs for minute points of comparison to determine if they could have come from the same person. Wells looks for similarities at the roots and along the shafts of hairs. His work helped to crack one of South Carolina's most spectacular murders last year. See story on Page 6. (Photo courtesy of SLED.)

(See SPEED, Page 3)

(See JACK, Page 3)



WILLIAM D. LEEKE
'Nothing if not grateful.'

The South Carolina Department of Corrections has offered to withdraw all Corrections officer students from the South Carolina Criminal Justice Academy—and to train such officers through its own agency.

The idea—whether or not it comes to fruition—is dependent upon authorization which must be granted by the State Legislature.

The Criminal Justice Academy has agreed to the Corrections proposal. Both agencies, severely handicapped by a lack of forthcoming state funds, are seeking ways to better use the monies that will be available to them.

In a unanimous vote at its February meeting, the Academy's Law Enforcement Training Council accepted Corrections' offer, made by William D. Leeke, S.C. Commissioner of Corrections. Leeke's proposal was immediately turned into a motion for acceptance by Greenville County Sheriff Johnny Mack Brown, a long-time member of the Training Council. His motion was seconded by Council vice chairman W.C. Bain Jr., and there was no "nay" vote heard when the question was called.

The move—surprisingly sudden to some members of the S.C. law enforcement community—was not unexpected. Both Leeke and John O'Leary, executive director of SCCJA, have been seeking budgetary increases, and all of the

Corrections May Withdraw Its Students From SCCJA

money in the SCCJA request was to be allocated to training. The S.C. House Ways and Means Committee is seeking some ways of reducing the training costs without reducing the high standards Mr. John O'Leary demands of his graduate law enforcement officers.

"I think I can train my officers," Leeke said. "I can build a pre-fab thing, similar to a quonset hut or a 'Butler building,' and use the space for classrooms. A lot of the money savings will come from the fact that I don't require 'live-in' students. They can commute, or at least most of them can."

"Don't make this story sound like there's any dissention between me and SCCJA," Leeke said. "I never wanted to pull my people out of there. The suggestion was made by Ways and Means, not me."

"Actually," he said, "we did most of our own training at the Academy, with their approval of our curriculum. But we were immensely grateful for their classroom space and their accommodations. My feelings for the Academy are nothing if not grateful."

Academy director O'Leary is grateful, too. "What Commissioner Leeke is doing for us is creating space," he said. "Our problem has always been space. This is simply an intelligent division of training opportunities and resources."

The Academy has an eight-month backlog of local law enforcement officers seeking admission.

Ways and Means, evidently, agrees with both O'Leary and Leeke. "We're not looking at a 'win-lose' situation," says Scott Inkley, Director of Research for the committee. "We're looking at a 'win-win' situation where everybody benefits, including the taxpayer."

"But everyone should understand," Inkley said, "that none of this is for sure, yet. It has to pass both houses of the Legislature."

SCCJA has been responsible for the training of over 25,000 Corrections officers per year, for the last three years.

Rep. Robert Neal McClelland (D-

Oconee), chairman of the Corrections Subcommittee for the House Ways and Means Committee, says, "This whole idea is economically sensible," I believe, "and I think it'll work. What we've got to do is take some of the pressure off the Academy. The Academy has been under too much pressure."

Some law enforcement officers are not quite so sanguine about the proposal. One of them, who wished not to be named, said, "The whole idea of the Academy was to bring all law enforcement training under one agency. That way, one agency alone was responsible.

I doubt that the Legislature will go along with splitting the training chores up again. And I hope it doesn't."

South Carolina Law Enforcement Chief J.P. Strom, however, is not at all bothered by the idea. "I'd be against it if it meant creating some sort of new agency," Strom said. "But Corrections is in existence, and it is perfectly capable of training its people. I don't have any objections at all."

The final decision is still up to the two houses of the Legislature. Until both the Senate and the House give their approval, nothing can happen.

We'll Do Our Best -- But We Need Your Help!

Because of Jack Truluck's tragic illness and death, the news disseminated from the Criminal Justice Academy has been a bit on the skimpy side during the past few months.

We're trying to catch up, and that's why you're reading in this issue of the Academy newspaper so many law enforcement stories that happened in February, March and April. From now on, we'll try to keep up to date.

But to do that, we need your help. We want to take note in this paper of every significant event in South Carolina law enforcement. We're counting on our readers to help. Will you?

We're interested in obituaries of officers and former officers; personnel changes and accomplishments; community service projects by law enforcement agencies or officers; and important events involving peace officers or their departments.

And we love good pictures.

Just send us clippings from your local newspapers or a jotting of the basic information you'd like to share. Don't worry about writing -- we'll do it for you. Just be sure to enclose your name and phone number in case we need to get in touch.

The address to use is Jim O'Shea, Professional Editorial Associates, 1339 Cactus Drive, Columbia, S.C. 29210. Or you can call (803) 772-2631. Someone is usually there, and he or she will be grateful.

Trooper Smalls' Killer Condemned To Die In State's Electric Chair

A Jasper County jury has recommended death in the electric chair for a North Carolina transient convicted of killing state Trooper Bruce K. Smalls.

The jury took 90 minutes on Feb. 14 to find Richard C. Johnson, 22, guilty of murder — and only an hour on Feb. 15 to decide he should be electrocuted for the crime.

Trooper 1st Class Smalls was slain last September when he stopped a suspicious vehicle on Interstate 95 in Jasper County.

Johnson was convicted of emptying a pistol into the patrolman's chest.

Johnson, of Morehead City, N.C., was one of three transients who had hitched a ride in a camper with Virginia businessman C. Daniel Swanson. Swanson's body was in the back of the vehi-

cle when Smalls ordered it to pull over to check the driver's license and registration.

Swanson had been shot in the back of the head. His body, wrapped in a bed sheet and tied with electrical cord, was in the rear of the recreational vehicle when Smalls ordered it to stop.

Swanson's murder is thought to have occurred in Clarendon County, and Johnson also is charged there along with Connie S. Hess, 17, of Omaha, Neb., and Curtis L. Harbert, 20, of Moorefield, W. Va.

Ms. Hess and Harbert also were charged with Smalls' murder, but those charges were dropped after they testified against Johnson. They said on the witness stand that Johnson shot Smalls to keep him from finding Swanson's body.

Smalls never saw the body. He died

on the road, the innocent victim of a fear-crazed killer.

Johnson was apprehended several hours after the murder, running along I-95 with a gun in a linen bag.

Ms. Hess and Harbert were arrested when they returned to the recreational vehicle and told officers they had witnessed the shooting.

Smalls' death shocked the law enforcement community.

The 30-year-old trooper, who lived in Grays Hill, was a former dispatcher with the Beaufort County Sheriff's Department. He joined the Highway Patrol in 1976 as a telecommunications officer. Smalls became a trooper in 1978, and he was promoted to Trooper 1st Class in 1980.

More than 1,500 people, including police officers from South Carolina and seven other states, attended the slain

trooper's funeral at the New Church of Christ in Burton. Lt. Gov. Mike Daniel, state Attorney General Travis Medlock, and several other top state officials also attended.

An honor guard of eight Highway Patrol troopers carried Smalls' flag-draped coffin into the church past an honor guard of fellow troopers standing at attention.

Smalls, who was also a sergeant in the Army National Guard, was buried with military honors in the U.S. National Cemetery at Beaufort. There, among moss-shrouded oaks and long lines of white tombstones, an honor guard of National Guardsmen in olive uniforms carried his coffin to the grave.

The funeral procession included about 200 patrol cars with flashing lights.

Smalls is survived by his widow, Margaret, and two young sons.

Speed Chase Policy Study Funded Here

(Continued from Page One)

themselves in a fast car when it's necessary, but the training curriculum does not advocate one chase policy or another. Training at the Academy includes an extensive course on law and liability, but leaves the applications to individual law enforcement agencies as they see fit.

South Carolina has had its share of tragic accidents because of high-speed chases. At least 12 people have died in wrecks involving police chases on state roads in the past three years, according to statistics kept by *The State* newspaper. Seven were in cars under pursuit. Five were innocent people who got in the way. Several people also were injured.

Within a two-week period in April, two Richland County women died when their car turned left in front of a Highway Patrol car in pursuit of a speeding automobile, and an 18-year-old Beaufort man was killed when the car in which he was riding careened off the road with law enforcement officers in hot pursuit. The driver of the car and a second passenger were injured.

In the Beaufort case, pursuit began because the car in question was weaving along the road.

Those cases were in the news when O'Leary announced efforts were under way to obtain state money, perhaps from the Governor's Office, to develop a state-wide policy on high-speed chases. Since then, however, the federal government has agreed to underwrite the effort, recognizing that the risks behind police pursuits are a national problem, and some members of the public want violators pursued and punished, while others blame law enforcement if innocent citizens die or get hurt in the course of the chase.

The division of National Highway Traffic Safety has agreed to fund the policymaking program, which is expected to come up with teaching guides for instruction of police officers, nationwide.

"I'm excited about this," O'Leary said. "I think this is a major problem in the country."

Requiescant In Pace

'Spirit' Of Highway Patrol, Col. 'Tommy' Thompson Dies

COLONEL P.F. "TOMMY" THOMPSON, for more than 20 years commanding officer of South Carolina's State Highway Patrol, died Jan. 2.

Thompson, 68, a native of Fountain Inn, died in Columbia, where he made his home on Pinebranch Road.

He joined the Highway Patrol in 1941, and he was promoted through the ranks to the position of colonel and commanding officer in 1965.

Thompson held various offices in the International Association of Chiefs of Police. He served as president of the South Carolina Law Enforcement Officers Association, then as a member of that organization's Executive Committee. He also served on the Governor's Committee on Criminal Justice, Crime, and Delinquency.

Cop Killer Gets 'Life Plus 25' In Upstate Trial

A Lexington County man has been sentenced to life in prison plus 25 years for killing a state constable after holding up a Greenville County supermarket last Thanksgiving.

Samuel Leroy Wodke, 41, who had faced a possible death penalty for the salying, nodded thankfully to the jury and told the judge, "I'd like to thank you for the job you've done. I firmly believe justice has been done in this case."

Wodke was convicted on March 7, and the same jury decided against the death penalty on March 8.

Two other participants in the robbery and shooting testified that Wodke shot and killed State Constable Valdon O. Keith, 46, to avoid arrest. Wodke admitted participating in the robbery, but he denied the shooting.

Wilbur "Rusty" Corvette Jr., 32, is charged with armed robbery and murder, and Wodke's son, Richard Wodke, 19, is charged with being an accessory before and after the fact. Neither has yet been tried.



COL. P.F. THOMPSON

He was known throughout law enforcement circles in South Carolina as an excellent officer, a fine administrator, and a just man. May he rest in peace.

MISS CHRISTINE G. MARTIN, a graduate of the South Carolina Criminal Justice Academy, died Jan. 19.

Miss Martin, 30, a native of Pittsfield, Mass., lived in Columbia.

A graduate of Keenan High School, Miss Martin achieved her certificate degree in criminal justice from Spartanburg Junior College. She was an officer with the Columbia Police Department for ten years.

In 1982, she received the Knights of Columbus award for Outstanding Police Officer in District Three. She won numerous trophies, including first place in the Regional Police Revolver Match at Brunswick, Ga.

Miss Martin was a member of the S.C. Association of Women Police, and of St. Michael and All Angels' Episcopal Church.

GUSTAVUS EUGENE SCHWARTING, Bamberg's chief of police for over 41 years, died Feb. 11 in an Orangeburg Hospital.

(See DEATHS, Page 11)

O'Leary Gets NASDLET's Highest Post

(Continued from Page One)

high-speed chases.

O'Leary has been executive director of the Academy since 1982, when he was selected by the state Law Enforcement Training Council to succeed Clifford Moyer, who retired. O'Leary had been a legal instructor at the Academy since 1973.

He was chosen to head the training facility from a field of 33 candidates, and since then he has kept South Carolina's Academy in the national limelight.

O'Leary is a graduate of The Citadel. He earned his law degree at the University of Detroit Law School.

He has 19 years' experience in law enforcement as a deputy sheriff, police patrolman, supervisor and counselor of a 104-member narcotics unit in Detroit, and as legal counsel, lecturer and trainer to numerous law enforcement agencies in 44 states, Canada and Mexico.

He is married and the father of three children. His wife, Mary Ellen, teaches mathematics at the University of South Carolina.

'Buford, Get Me Outa Heah, Heah?'

The Southern sheriff's pot-bellied image is on its way out, the South Carolina Criminal Justice Academy says.

It's all part of a physical fitness and health program recently instituted by the Academy.

But just to be on the safe side, the Academy has made its equipment mobile. It can be moved to four sites, statewide. If our sheriffs don't take readily to fitness, the Academy can ease over and urge it upon them.

"Buford! Call the Dodge-Boys and get these fitness freaks outa heah! Heah?"

Jack Truluck Dies At 62

(Continued from Page One)

one of the state's most honored and most deeply respected journalists.

He was also a talented, practicing poet.

Truluck's newspaper career began in 1949 when he became a copy desk editor at *The State*. Between then and 1982, he served as assistant city editor and assistant managing editor at *The State*, but he was best known as an investigative reporter whose folksy manner and low-key style frequently disarmed his subjects.

As a reporter, he uncovered irregularities in county governments, public works on private property, erratic enforcement of drivers license suspensions, unusual sentencing by

judges, violations of state charters by private clubs, questionable deals involving public lands, irregularities in the Civil Air Patrol, and abuse of elderly mental patients.

His vast collection of news sources in those days included scores of law enforcement connections and informants in the criminal underworld, whom he knew by colorful nicknames that often peppered his conversation.

From 1963 to 1968, Truluck was editor of the *Gaffney Ledger*. Under his leadership, that newspaper won more than 40 state and national awards for excellence in content and graphics, and Truluck's direction of the news coverage of a series of murders in Cherokee County helped lead to the capture of the "Gaffney Strangler."

Truluck's journalistic work placed him in close contact with criminal justice, and he was fascinated by it. He once took a leave of absence from *The State* to direct a federally-funded study of American Prison systems.

His office at the Academy was wall-papered with awards, among them his 1974 citation from *The State* -- the Ambrose E. Gonzales Award for journalistic excellence -- the 1974 Byliner award as South Carolina journalist of the year, and awards for editorial writing from the National newspaper Association and for investigative reporting from the Society of Professional Journalists in the Southeast.

Truluck had other citations he never mentioned much, including a Purple Heart for action during the 1944 inva-

sion of Normandy. He served in the U.S. Navy during World War II and was among the first troops to hit the beach at Normandy on D-Day.

He was a graduate of the University of South Carolina.

Surviving are his wife, Gloria Dunlap Truluck; two daughters, Mrs. Dianne T. Poston of Columbia and Miss Gloria L. Truluck of Greenville; two sons, Russell D. Truluck of Asheville, N.C., and J. Brian Truluck of Columbia; three sisters, Mrs. Almene T. Layton and Miss Marilyn M. Truck, both of Columbia, and Mrs. Rebecca T. Attuso of Marshall, Texas; and two grandsons, Phillip Barrett Poston and Graham Simon Truluck.

A 'Brother Act' Is Born Anew In Summerville

Time was when the young folks couldn't wait to leave the small-town life to seek their futures in the cities.

But for two Summerville police officers, who grew up friends in Miami, the good life is in small-town South Carolina with a lot less glitz and glitter, and a lot less crime.

Jose M. Regalado Jr., 24, recently moved to Summerville to join his boyhood friend, Ralph Putti, 25, as a patrolman with the Summerville Police Department. For Regalado, who is Cuban-American, and Putti, who's Italian-American, it's an extension of the days when they were best buddies, going to school together, playing on the same football team, riding motorcycles

before school, and later, working the same jobs.

Regalado was born in Miami, and Putti moved there from New York as a child.

The two were inseparable, but in 1984, when both were accepted on the force at Virginia Gardens Police Department near Miami, Putti decided not to take the job. His wife had relatives in South Carolina, he said, and it seemed like a better place to settle down.

Regalado stayed in Florida as an auxiliary policeman with the Virginia Gardens force in Dade County and as an officer with the Florida Marine Patrol.

But over the next year and a half, he made seven trips to Summerville, and a few months ago, he decided to make the move. He worked with a local security force until an opening occurred with the Summerville Police Department.

"I wanted to be a police officer fulltime as a career, and I like it up here," Regalado told a Charleston news reporter. "It's quiet. I've got two children, and Miami is just too much for them."

Putti agreed.

"It was a culture shock for me," he said, "but I learned to do everything on my own. Miami is so big. This is nice. I'm happy and content here."

Despite their different ethnic origins, and the fact that they're no kin at all, Regalado and Putti even look alike, and people often ask if they're brothers.

The answer: "Sure we are."



JUST THE SAME OLD FRIENDSHIP: Officer Jose M. Regalado, left and Officer Ralph Putti pose for a "smile session" outside the Summerville Police Dept. building. (News and Courier photo by Brad Nettles. Reprinted with permission.)

Woman Charged After Shootout With Patrolmen

A Piedmont woman has been charged with assault and battery with intent to kill after a shootout with state troopers in the Breathalyzer room of the Greenville County law enforcement headquarters in late March.

Trooper James Erwin King was preparing to give a Breathalyzer test to Carol R. Flagg when the woman pulled a .32-caliber pistol and shot King in the mouth.

Police reports said Ms. Flagg then turned the pistol on Trooper Mike Gibson, when Gibson shot her.

King, 29, of Greenville, underwent 2½ hours of surgery at Greenville Memorial Hospital to remove a bullet near his spine.

Ms. Flagg was treated for a bullet wound in the chest.

King had arrested Ms. Flagg on suspicion of driving under the influence of alcohol and leaving the scene of a minor accident near her home. Incident reports showed Ms. Flagg gave no resistance to arrest and consequently was subjected to a cursory weapons search before the attempted Breathalyzer test.

According to Greenville County police, she would have undergone a more thorough search before confinement.

Cadets See Police Work First Hand

Cadets majoring in political science at The Citadel are getting an inside look at the Charleston City Police Department and several other government operations.

In the program run by The Citadel's political science department, 20 cadets are working one afternoon each week this semester at the police agency, the Mayor's Office, the county administrator's office or the Medical University Hospital.

Cadet interns at the police department are being exposed at a dozen different functions of the law enforcement division.



RUNNING A LICENSE: Citadel Cadet David Domino of Pittsburgh, Pa., and Charleston County Police communications supervisor Doris Johnson run a driver's license check on a computer. (News and Courier photo by Tom Spain. Reprinted with permission.)

Bribe Attempt Costs Suspect 4-Year Term

A Summerville man has been sentenced to four years in prison for trying to bribe Lincolnville's police chief into making a false arrest.

The incident occurred in April, 1985, but it did not go to trial until January of this year.

John Henry Skinner, 23, could have received a five-year sentence for the attempted payoff to Lincolnville Police Chief Donnie White. But Skinner faces additional charges of unlawful possession of a pistol, receiving stolen goods, and possession of marijuana for distribution. The incident occurred while Skinner was on probation for a prior drug conviction.

Skinner was supposed to buy marijuana from a suspected dealer, but when the buy was arranged, he decided to keep some of the money for himself. According to court testimony, Skinner offered to split the profit with the police chief if he'd make a false arrest and claim that all the money was confiscated.

Police Chief White reported the bribe and later went to the collection site wearing a "wire."

Charleston County police made the arrest.

S.C.'s 'Crime To Court' Series Achieves National Syndication

TV Series Was Developed
By Justice Academy, S.C.-ETV

"Crime to Court," a series of television programs for the training of law enforcement officers, has become nationally syndicated.

The series was developed by the South Carolina Criminal Justice Academy in conjunction with the South Carolina Educational Television Network.

Nationwide syndication of the program was sponsored by the National Sheriffs' Association, and the Association has joined SCCJA and S.C.-ETV as a third co-producer.

What evolved as a national training program had rather humble beginnings back in 1964, Bill Gibson, director of training for the Academy, is fond of remembering its origins.

Advanced System

"In '64," he says, "we realized that our state had the most advanced closed-circuit television system in the country. And what we originally wanted to do was to get in touch with all law enforcement officers, once a month, and transmit confidential information."

"But as TV technology evolved," Gibson said, "we realized that we had the potential for a training system that could hardly be duplicated. Not only could we use our own expertise, but we could get suggestions from all state law enforcement agencies on what needed more emphasis, and on what we might have overlooked. And it was obvious that a professionally developed, professionally filmed training series should be preserved on videotape."

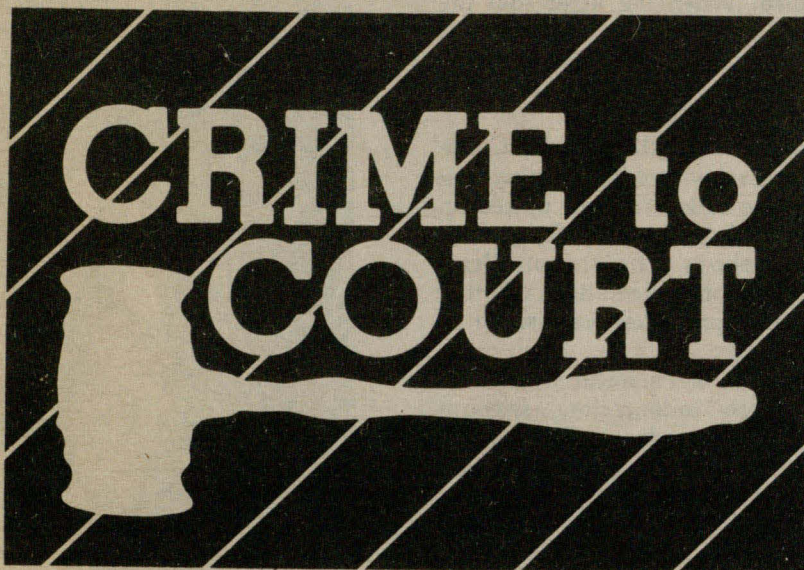
A Team Effort

"It was truly a team effort for members of the originating agencies," he said, "and the team did a beautiful job. No, we have tapes we can use for in-service training of trainers themselves, and other fine tapes that can be used for the training of new officers. I think it's great that a guy who belongs to the smallest police department in the state can have the same training as a guy in the biggest. And now, the whole thing is nationwide! We've done something here!"

Each program in the series lasts 30 minutes, is accompanied by its own textbook, and consists of two segments. The genius behind its present format is J.C. Coleman, former deputy attorney general for the State of South Carolina.

Coleman's first segment discusses and explains a legal point--oftentimes a recent Supreme Court decision. It emphasizes, to the enforcement officer, the rules he must observe in order to protect the public and at the same time preserve the rights of the suspect.

The second segment is dramatic--an illustration of officers in action in a situation where the legal point applies.



BILL GIBSON

Characters in the dramatic segment are portrayed by professional actors.

Usually, after the videotape is shown, a competent training officer is on hand to answer officers' questions.

"It's a really professional job," Gibson says. "Within 30 days after the Supreme Court made its decision in *Garner v. Tennessee*, we had it on the air for all of our officers. We not only have good information -- it's current!"

Coleman Runs Show

"Coleman is the official executive writer-producer," Gibson said, "and the technical expertise belongs to ETV. I don't have to do a whole lot on my own. I've got people here at the Academy who make life easy for me."

But Gibson is in charge of the Academy's side of the production and responsible for it. Still, he credits Mike Lanier, Richard Shealy, and Janet Miller with most of the work. At ETV, he says, producer Michael Miller, associate producer Bobbi Kennedy, and director Gary Hipp make life equally easy for him. "They all just do wonders," he

said, "and J.C.'s scripts are unbelievably good."

Another responsibility of Gibson's is the direction of the program for training trainers. "It's been a workable procedure," he says. "The trainers come here, view all the tapes, and get answers to all their questions. Then we give them copies of the tapes and the textbooks, and they're prepared. It works fine."

Sheriffs Had Need

National syndication, Gibson said,



occurred when the Academy was made aware that the National Sheriffs' Association was searching for a uniform training program for enforcement officers. "Our program was the most qualified they could find," he said. "We sent them a syllabus of what was available, along with a price list -- and they not only bought it, they joined it!"

Three-Page Ad

The current edition of *The National Sheriff*, the official publication of the Sheriffs' Association, contains a three-page ad about "Crime to Court: A Complete Training Package." It lists prices, information on subject matter available, and information on back issues of textbook booklets available for purchase. The back issues contain information on 13 significant, major Supreme Court decisions on law enforcement.

The ad is illustrated by four photographs from the dramatic portion of the series.

Gibson says response to the Sheriffs' Association's promotional campaign has been "highly favorable," and that, nationwide, enforcement officers are contributing input.

"Now it's their program, too," he said.



PROFESSIONAL ACTORS play the roles of policemen and lawbreakers on the "Crime to Court" television series currently produced by the Criminal Justice Academy in cooperation with the South Carolina Educational Television Network. The series -- master-minded by J.C. Coleman and Bill Gibson -- has recently been nationally syndicated by the National Sheriffs' Association.

Each program outlines and explains a point of law, and then demonstrates it in a dramatic episode. (Photos courtesy of SCCJA.)

SLED's Laboratory Wizardry Convicts S.C. Kidnap-Murderer

Police officers spent hundreds of hours chasing leads after a Lexington County teenager was kidnapped and murdered last spring, but it took some high-tech wizardry to clinch the case in court.

Lasers and electrical analysis produced two key bits of evidence — fibers and an indented telephone number on a piece of paper — that led police to Larry Gene Bell, the 37-year-old Gilbert electrician who was sentenced to death last month for the murder of Shari Smith, 17.

Other lab work at the State Law Enforcement Division provided com-

microscopic observation, conclusively linked the body to the house and thus to Bell.

The key piece of evidence was Shari Smith's "last will and testament," a letter written to her family just before she was killed. When the killer told the Smiths by telephone that the letter was on the way, SLED documents expert Mickey Dawson picked it up at the Lexington Post Office.

Dawson showed the Berkeley County jury that convicted Bell how an electrical device called "ESDA" picked up hidden clues from the letter. It was written on two sheets of paper from a legal pad, and it bore indentations of other writing from previously used sheets of the pad.

ESDA uses a chemical process to "raise" such indentations without destroying the evidence, Dawson explained. It's the same principle as taking a pencil and rubbing a sheet of paper with the side of the lead — the indented markings, even if barely visible, don't pick up any of the shading, and they can then be read.

ESDA does the same thing with fine chemical particles.

What ESDA "raised" from the "last will and testament" was a cryptic number — "205 837 13 8." It took some figuring to determine that the second 3 was actually part of an 8 and that the missing number was a "4", and to find that the series of digits were a telephone number in Huntsville, Ala. The number



LEON GASQUE
Headed investigation.

parisons of blood, hair, and urine to determine that Shari Smith was indeed present in the Saluda County house that Bell was "sitting" while its owners took an extended vacation — the dates coincided with those of the abduction and slaying.

SLED Captain Leon Gasque, who attended most of Bell's death trial in Moncks Corner, called the work "the best criminalistics we've ever compiled," and "the heart of the case against Bell."

Court testimony backed up Gasque's opinion.

It showed that SLED experts, trained to use state-of-the-art equipment and

The Bell Story

Six months after the abduction and slaying of a Lexington County teenager plunged the Midlands into a month of fear, Larry Gene Bell went on trial for his life in a coastal courthouse where a jury untouched by that fear determined he killed Shari Smith and should die for the crime.

Sharon Faye "Shari" Smith, 17, disappeared May 31 from the driveway of her family's home near Red Bank. A massive search by law enforcement officers and citizen volunteers ended June 5 with a telephone message that led to discovery of her body in the woods behind a Masonic lodge in Saluda County.

A man who claimed to be the abductor contacted the Smith family, law enforcement officials and a news reporter before an arrest was made in the case.

During the interim, 9-year-old Debra May Helmick was kidnapped in broad daylight at her Richland County home and later was found slain in Lexington County.

Bell was arrested late in June and subsequently was charged with murder in both the Smith and Helmick cases.

Bell will be tried separately for the Helmick murder.



EARL WELLS
Analyzes hairs.

belonged to the son of a family who owned a home in Saluda County, and when he was located, Ellis Sheppard, the home's owner, told police he hadn't been at the home when Shari Smith was kidnapped and killed, but someone was taking care of the house — Larry Gene Bell.

In court, Sharon Sheppard, Ellis' wife, identified other "raised" writing on the letter — the names of her pets, written down for Bell, and a grocery list she'd made before leaving on her trip. Earlier, the significance of "pecans, tomatoes, and beef sticks" had been a mystery. The ink on the letter was subjected to chromatography by the FBI. It matched ink in pens from Sharon Sheppard's office. Several were in the home.

Once the Sheppards' home was



LARRY GENE BELL arrives at the Berkeley County Courthouse for a day of jury selection in his death-penalty trial. (Photo by Tim Dominick, courtesy of *The State*.)

targeted, it yielded other clues.

One of the key items analyzed at SLED was a mattress pad from the bedroom Bell had been assigned at the Sheppard home.

Fiber expert Bob Carpenter testified that agents passed the pad under a \$30,000 laser machine, used primarily to detect fingerprints.

The machine found more on this mattress pad. Fibers and spots of body fluid — semen, blood and urine — "shined like little bolts of lightning," Carpenter said. Three red fibers on the pad were consistent with fibers found in the shorts Shari Smith was wearing when she disappeared, and which were on her body when it was found. Other similar red fibers were in her hair.



BOB CARPENTER
Brains of laser machine.

Tests on the body fluid spots by SLED serilogist Ira Jeffcoat showed that the blood was Miss Smith's type, and the urine also could have been hers. She had a rare type of diabetes and could not hold her urine without medication.

Eleventh Circuit Solicitor Donald V. Myers said SLED's technical help on the case was "invaluable," and the polarized light microscope — the laser machine — "paid for itself."

Some of the other evidence examined by SLED was more routine.

Forensics experts combed the Sheppard house and found several long blonde head hairs, public hairs and a body hair. Those were analyzed under independent microscopes to compare them to hairs taken from Shari Smith's body.



MICKEY DAWSON
The expert on ESDA.

(See SLED, Page 7)

Lab Seals Bell's Fate

SLED Wizardry

(Continued from Page 6)

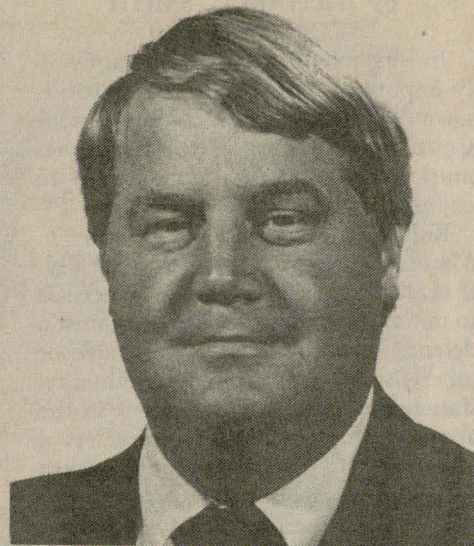
SLED Agent Earl Wells told the jury how minute points of comparison can be made to determine whether such hairs could have come from the same person.

Using separate microscopes joined with lenses and mirrors, like a split movie screen, Wells found that the head hairs from the house and those from the body shared an uncommon malformation characteristic along their shafts, and all showed comparable signs of solar and chemical bleaching. From then on, SLED was certain they were Shari's.

Their stated conclusion was that the hairs found in the house could have belonged to Shari Smith, and -- given the uncommon denominator of the shaft malformation -- probably did.

SLED had hoped to test Bell's body fluids to determine if he was the probable source of the semen or any of the other stains on the mattress pad, but the defendant ignored a court order to produce blood and saliva samples for analysis.

"It really didn't matter at that point," Captain Gasque said. "We had Bell in the house. We had Shari Smith in the house. We had some of the best scientific evidence possible, and there was no way the defense could argue with it.

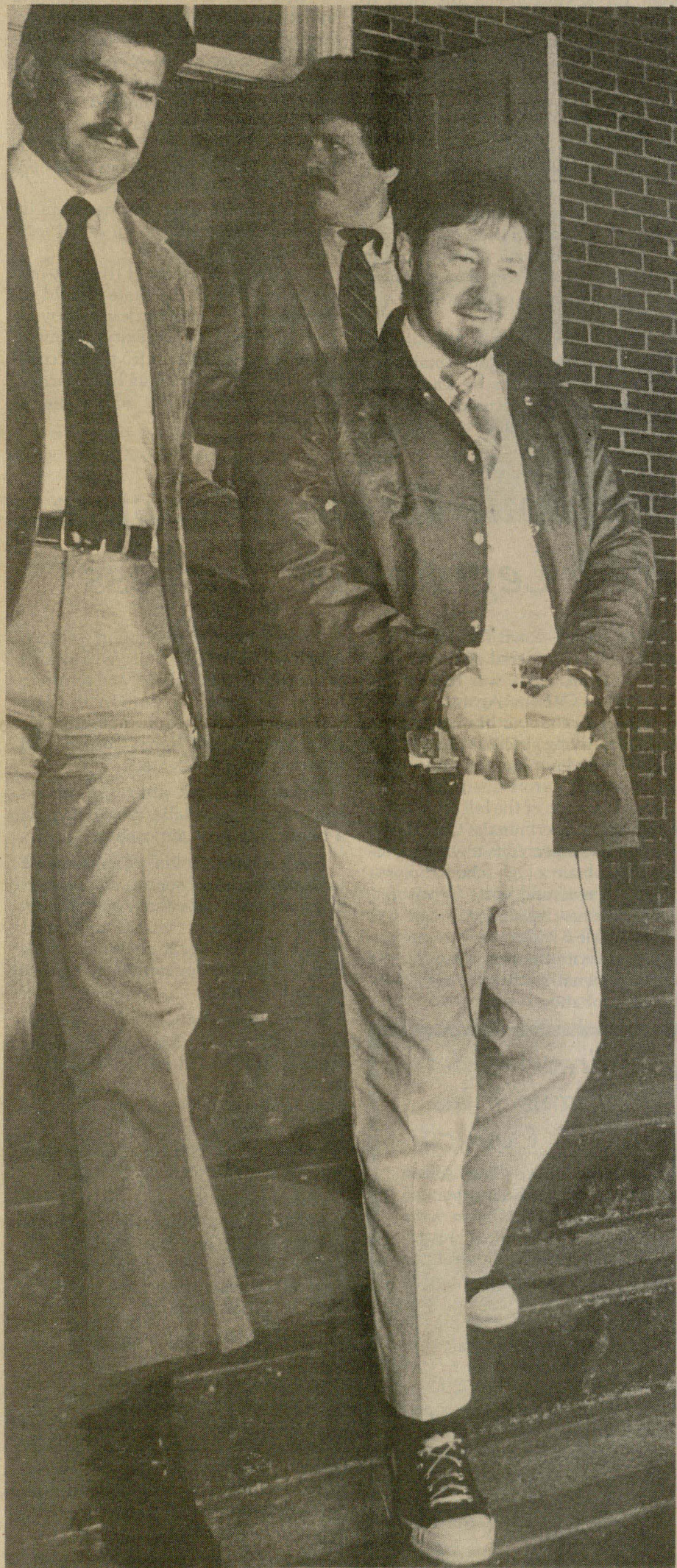


IRA JEFFCOAT
Seriologist extraordinaire.

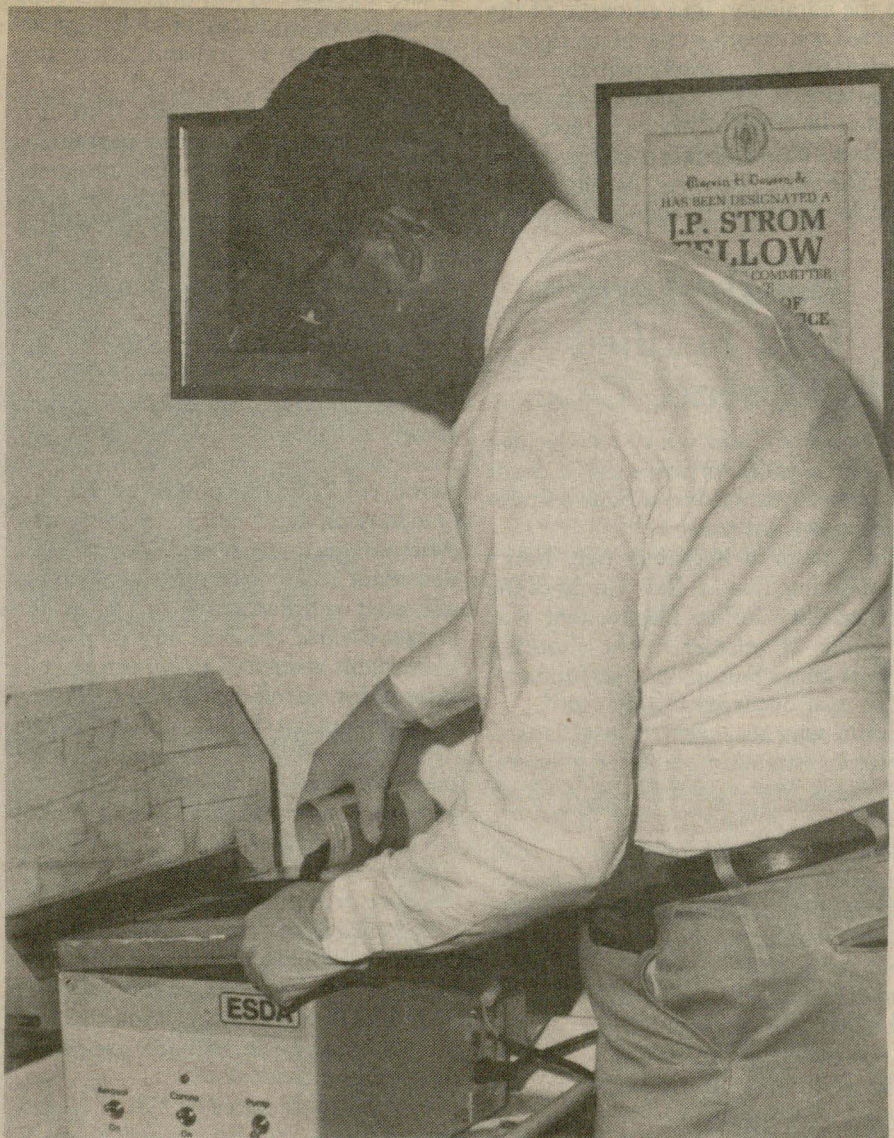
They were there together, and she died. That's it."

Technological advances like lasers and ESDA are among SLED's best assets to assist law enforcement in South Carolina, Gasque said.

"We can do things with evidence that were unheard of years ago," he said. "In a case with no witnesses and no confession, forensics are vital, and in the Shari Smith murder case, they certainly made a difference in court."



SALUDA COUNTY SHERIFF George Booth, left, escorts Bell out of the courthouse after a long day in court. During the trial, Bell was housed at the Berkeley County Jail near the courthouse. Guards said he paced his cell and sang "Amazing Grace" to the tune of "Silent Night" after hours. (Photo by Tim Dominick, courtesy of *The State*.)



AGENT MICKEY DAWSON sprinkles particles of graphite over an evidence document to pick up traces of any hidden writing impressed into the paper. Dawson told the Bell jury that's what happens when someone writes on a top sheet in a pad of paper, then tears it off. (Photo courtesy of SLED.)

U.S. Supreme Court Clarifies Post-Indictment Counsel Rights

By WILLIAM C. SMITH
SCCJA Legal Staff

In what may prove to be an immensely important decision for law enforcement officers, the United States Supreme Court recently clarified the sometimes murky area of a defendant's right to counsel after indictment.

Ruling in the case of *Maine v. Moulton*, the Court stated, specifically, that after the State has made a decision to initiate judicial proceedings against a defendant, any attempt, subversive or otherwise, to elicit further incriminating statements from that defendant in the absence of defendant's counsel, is a violation of the defendant's Sixth Amendment rights.

The case arose in the State of Maine. Moulton had been arrested and charged with the theft of automotive vehicles and parts. Moulton's accomplice, Gary Colson, told police officers Moulton had threatened him by telephone, and that Moulton had suggested the murder of the state's key witness.

Police officers body-wired Colson, told him to continue his conversations with Moulton, and warned him not to ask "leading" questions that might suggest entrapment. Colson complied -- and got from Moulton seriously incriminating statements which produced further indictments of him by the State.

Convicted on these further indictments, Moulton appealed on the ground that the admission into evidence of the recorded statements violated his right to the assistance of counsel under the Sixth Amendment. The Supreme Judicial Court of the State of Maine agreed, and Moulton's case was returned for a new trial. The State, however, petitioned for a review by the U.S. Supreme Court.

Deadly Force Said Justified In Florence Case

A Florence County jury has decided that a local police officer's use of deadly force was justified to subdue a knife-wielding mental patient.

The jurors deliberated two hours before finding that Lt. Rick Gould of the Florence City Police Department was not guilty of murder in the shooting death of James Fulton, 27, last January. The trial occurred in late April.

Gould was also cleared in a departmental investigation, although a federal civil rights investigation is still under way.

Gould was one of three officers who responded to Fulton's telephone call to police headquarters, in which he said he was armed and prepared to kill. A police dispatcher testified in court that Fulton claimed he had killed as many as 90 people before, and he specifically wanted to kill policemen.

The shooting occurred after Fulton stabbed one of the officers assisting Gould and then advanced on the police lieutenant with a knife. The weapon was later found to be a flatware table knife.

Gould was on administrative leave from the time of the shooting until after the trial, but has since returned to the force.

The justices of the Supreme Court ruled that a person is entitled to the help of a lawyer "at or after the time that judicial proceedings have been initiated against him." Moulton, they said, was already under indictment for theft--and from that time on, he was entitled to counsel. The State's subversive attempt to have Moulton incriminate himself further, the Court said, was indeed a violation of his Sixth Amendment rights.

"The police knew," the Court said, "that Moulton would make statements that he had a constitutional right not to make to their agent (Colson) prior to consulting with counsel."

The State of Maine contended that, since the police did not *intentionally* elicit incriminating statements from Moulton, the recorded statements were admissible. The State contended that

the police act must be *intentional* in order for a violation of the right to counsel to exist.

The High Court rejected the State's argument. The justices noted that the intent, or lack thereof, to elicit an incriminating statement, is not the controlling issue.

"... Knowing exploitation by the State of an opportunity to confront the accused without counsel being present is as much a breach of the State's obligation not to circumvent the right to the assistance of counsel as is the intentional creation of such an opportunity," the justices said.

"Accordingly, the Sixth Amendment is violated when the State obtains incriminating statements by knowingly circumventing the accused's right to have counsel present in a confrontation

between the accused and a State agent."

Thus, after the Moulton decision, a violation of the Sixth Amendment occurs when the State, by design, exploits an opportunity to obtain incriminating statements from an accused *where the right to counsel has attached*.

The right to counsel attaches, the Supreme Court said, "at or after the time that judicial proceedings have been initiated against the accused."

In South Carolina, this has been interpreted to mean *after an arrest warrant has been obtained*.

The Court was careful to point out, however, that if the State should inadvertently (i.e., not by design or by exploitation of an opportunity) obtain incriminating statements from an accused after the right to counsel has attached, those statements are admissible as evidence.

Governor's Omnibus Crime Measure Is Now Assured Legislative Success

After compromises were thrashed out in a special conference committee from both legislative houses, the South Carolina General Assembly was expected to give final passage this week to a slate of criminal justice reforms combining tough sentences for violent crimes with elements of rehabilitation and restitution.

As the *Criminal Justice Chronicle* went to press, only routine passage by the House of Representatives remained to get the bill to Gov. Dick Riley for signing into law. The House had virtually assured an easy final passage by guaranteeing it would go along with its conferees.

The legislation, known as Riley's Omnibus Crime Bill, was mired in debate through much of the legislative session, largely because of a controversial proposal to create a sentence of life without parole for murders committed with accompanying aggravating circumstances. Alternatives under present law, when a defendant is convicted of a so-called "aggravated murder," are death in the state's electric chair or life in prison. Defendants sentenced to life can be considered for parole in 20 years.

Opponents of the life-without-parole option argued that it would dilute application of the death penalty. The compromise committee agreed on raising to 30 years the time served before consideration for parole.

Other provisions of the bill include a five-year mandatory sentence for criminals convicted of using a firearm or knife during commission of a crime, no parole for second-time violent-crime offenders, and life without parole for third-time offenders.

The bill also specifies what violent crimes are -- murder, criminal sexual assault, assault and battery with intent to kill, kidnapping, voluntary manslaughter, armed robbery, burglary, arson, and drug trafficking.

Another important feature limits parole considerations. Once a prisoner

has been turned down for parole, his case can't be considered again for two years. That provision was lobbied for by CAVE -- Citizens Against Violent Crime -- and other victims' advocates, who said living victims and their families should not have to relive their pain at annual parole hearings.

Several sections of the bill provide for rehabilitation of criminals. One allows inmates education credits toward parole when they obtain a high school diploma or learn to read and write in prison.

Under the new legislation, judges will have available a wide range of sentences for non-violent offenders, who may be sent to regional restitution centers or "shock" probation centers.

Inmates of the restitution centers, which will have to be built, will be able to work in the community and return to lockup at night. A portion of their salaries will go toward restitution for their victims and room, board and supervision in the centers.

Inmates at shock probation centers will work at hard labor for 90 days in a boot-camp type atmosphere.

The governor's initial proposal called for incarceration of some state prisoners in county jails, but county officials' opposition forced a modification that would not cost local governments or shift the strain of overcrowded prisons to the local level.

Riley first proposed the Omnibus Crime Bill in his State of the State message in 1985. It took two legislative sessions to iron out the final details. The final version of the measure was shaped largely by citizens outraged by the proliferation of violent crime in the state and by law enforcement officials.

State officials estimate the law will reduce the need to build more minimum-security prisons and may allow conversion of at least one minimum-security prison to a medium-security facility at less cost to the state.

Conversion could cost about \$1 million, compared to \$60 million for a new medium-security prison. Cost of constructing restitution and shock-probation centers hasn't yet been figured, but it is expected to be lower than the projected cost of new prisons which would have to be built to meet requirements of a federal lawsuit settlement on overcrowding.

The final legislative steps, expected to occur in the last week of May and early June, were House approval and Riley's signature. The House's guarantee of routine passage and the endorsement of Riley's staff left little doubt that the Governor's Omnibus Crime Bill would be law by this summer.

Andrews Chief Williams Joins SCCJA Council

Andrews Police Chief Albert Williams, 37, has been appointed by Gov. Richard Riley to serve on the S.C. Criminal Justice Academy's Training Council, the agency's official governing board.

Williams has served as chief of the Andrews Police Department since August, 1979, after having joined the agency in October, 1975. He is responsible for supervising a staff of eight officers and several dispatchers in the western Georgetown county town.

He succeeds Lancaster Police Chief Frank Harris, whose term expired in May.

Williams resides in Andrews and is a native of Marion. He is married and has four children. He is a member of the S.C. Law Enforcement Officers Association, the S.C. Police Chiefs Association, and the Masons.

Isle Of Palms P.D. Can Make You A Star

So you'd like to be in pictures?

Just drive drunk on the Isle of Palms, and the local police will be glad to make you a star.

The Isle of Palms Police Department recently purchased \$3,000 worth of videotaping equipment to assist in convictions of DUI suspects. The films have an added benefit, because many people who take the usual tests for legal intoxication don't believe they're drunk, Polcie Chief Fred E. Thompson said.

"This way they'll see themselves on camera and they'll know," Thompson said. "It'll cut down on the length of conviction time. We'll get the whole nine yards on tape."

Isle of Palms Mayor Carmen Bunch suggested the purchase and the city

council approved it -- two monitors, two video cassette recorders, and a camera.

"This takes the policeman off the spot. It backs him up," Mrs. Bunch said.

"Those who habitually abuse the roads are the ones we want to get off the roads," she said.

The first month the equipment was used, the Isle of Palms had 14 DUI convictions compared to only three at Mount Pleasant and none on Sullivan's Island.

Since then, Sullivan's Island police have started sharing the equipment.

"Smile," Mayor Bunch says. "You're on camera."

"And if you drink and drive, don't come to the Isle of Palms."

Mount Pleasant Man Commended For Valor

A Mount Pleasant man has received a special commendation for valor after saving the life of a Charleston policeman who was hurt in a traffic accident on a Cooper River bridge.

Lawrence Coakley, 52, received a plaque and letter from Charleston Police Chief Reuben M. Greenberg, who said the citizen's courage and quick action saved Cpl. Robert Flynn by pushing him out of the path of an oncoming car.

The incident occurred in November 1985, and Coakley was commended for it in February, while Officer Flynn was still recuperating from injuries. Coakley was also injured, but not seriously.

Coakley's truck had stalled on a span of the Silas N. Pearman Bridge about 2:40 a.m., Nov. 16, 1985. Flynn stopped to assist, parking his unmarked cruiser behind the stalled vehicle, with the blue light flashing.

The two were standing near the truck, talking, when an approaching car, driven by James F. McLeod, 20, of Mount Pleasant, headed toward them. Coakley quickly pushed Flynn to safety, but both were injured when McLeod's car struck the police cruiser and knocked it into them.

Flynn came out of the accident with a fractured skull, an ear injury, three facial fractures and a broken pelvis.

Coakley asked a passing friend to get help.

"I wasn't hurt that bad," he said later. "I was worried about him. He was bleeding so much."

McLeod also was treated for minor injuries. He was sentenced in February, in Charleston Municipal Court, to 30 days in jail, after pleading guilty to driving under the influence of alcohol.

Columbia's Officer Clark Gets Bravery Citation

Columbia Police officer William H. Clark has received a bravery citation for his cool action under stress in stopping an armed suspect in a crowded shopping center.

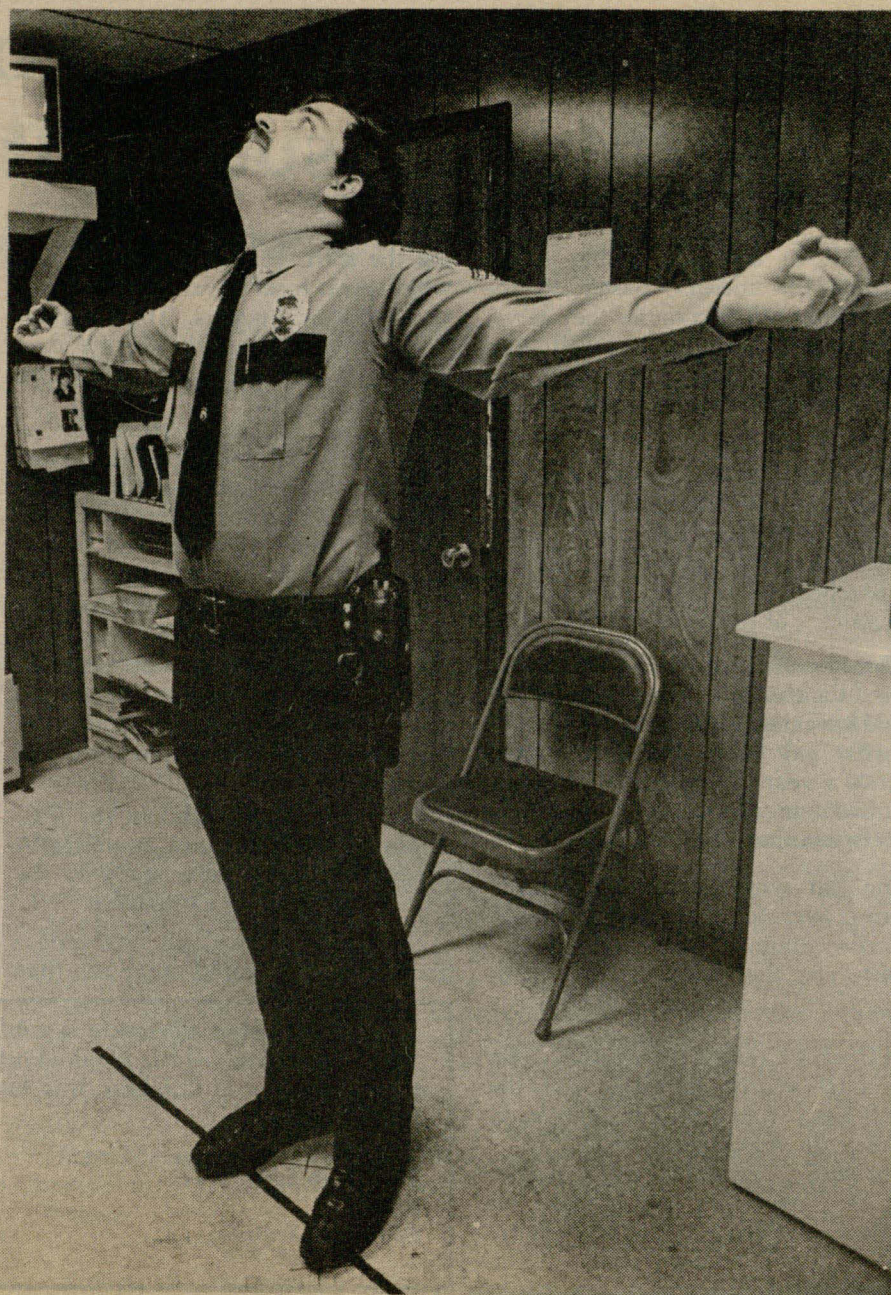
The Claims Management Association of South Carolina cited Clark for his handling of a potentially deadly situation last fall. Clark had responded to a call for assistance at a major department store in Columbia. When he arrived on the scene, he saw an armed man fleeing the store, with another officer in pursuit.

The suspect pointed his gun at Clark and fired, but the officer dropped to the floor and rolled out of the line of fire, then leaped to his feet and joined the pursuit. The armed man ran out of the store.

Clark ordered him to drop his gun, but the man turned and raised the weapon to a firing position. Clark fired his service revolver, hitting the man before he could fire in the crowded area.

His award was presented by Claims Management Association Vice President Thomas Hesse during special ceremonies at the Sands Ocean Club Resort in Myrtle Beach in April. Hesse said the insurance organization annually recognizes officers who have distinguished themselves in the line of duty, and Clark was chosen for 1985 because of his decisive actions at the shopping center, his concern for innocent bystanders, and his complete disregard for his own safety.

Hesse said Officer Clark acted in a bold, decisive and courageous manner, in the finest traditions of police service.



A QUESTION OF BALANCE: Isle of Palms Police Sgt. Thomas E. Buchannon demonstrates sobriety test. If you drink and drive on the Isle of Palms, you might be on television! (News and Courier photo by Tom Spain. Reprinted with permission.)



JUST A TWIST OF THE WRIST: Forest Acres police officer Tony Duncan demonstrates how to search a dangerous suspect during a three-day training seminar held for Explorer scouts in Columbia, Feb. 14-16. The seminar attracted about 100 scouts from across the state. (The State photo by Win McNamee. Reprinted with permission.)

Minimum Salaries For Sheriffs A Dormant Issue, But Not Dead

A bill to create a sliding salary schedule for sheriffs, based on the populations of the counties they serve, is no longer expected to reach floor debate in the Legislature this session, but proponents are trying to keep it alive for next year.

The South Carolina Sheriffs' Association and the state Association of Counties seem to be at odds over a bill in the Legislature which would create a sliding salary schedule for sheriffs—based on the populations of the counties they serve.

The Sheriffs' Association is solidly behind the measure. The proposed bill would have the greatest impact on counties that pay their sheriffs less than \$25,000 a year. There are 20 of South Carolina's 46 counties that pay their sheriffs less than that amount.

The bill would force all sheriffs' salaries over \$25,000, and it would prescribe minimum yearly raises.

Last year, the lowest paid sheriff in South Carolina was paid \$17,000.

In Oconee County, deputies are given automatic yearly increases, but the sheriff hasn't had a raise in two years, the Sheriffs' Associations says.

But the S.C. Association of Counties says the Legislature should have no business interfering in county affairs.

The counties say lawmakers are subvert-

ing the spirit of the Home Rule Act, which gives local government authority over local budgets. The Counties' Association opposes the sheriffs' mandatory pay bill and is lobbying against it.

Speaking for the Association of Counties, Spartanburg Councilman Danny Allen said his group's position is that sheriffs who are underpaid should take the matter up with their county councils, not the Legislature.

But Jeff Allen, executive director of the Sheriffs' Association, maintains that some county councils have not responded to the needs of law enforcement agencies, and that some sheriffs cannot get the raises they need without outside intervention.

The pay bill is lodged in the S.C. House Ways and Means Committee. A companion bill is under study by the S.C. Senate Finance Committee.

Under the proposed bill, no sheriff in South Carolina would make less than

\$28,339—the minimum salary specified by the legislation. Sheriffs in counties with over 250,000 residents would make a minimum of \$50,000.

Sheriffs already making the minimums specified by the bill would stay at their present levels—with increases determined by successful completion of selected law enforcement training programs.

Under the present system, wherein sheriffs' salaries are determined by county councils, salaries are not uniform. The sheriffs of some large counties make less than sheriffs in a handful of smaller counties.

The sheriff of Greenville County, for example, is paid less than the sheriff of Florence County, which has almost 33 percent fewer people.

The state's proposed mandatory pay bill is similar to minimum salary laws passed recently in several other states, including Florida, Alabama, Georgia, and Virginia.

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Summerville Officer Gets Reinstatement

Summerville police patrolman Lloyd Duncan was reinstated to full duty two days after firing his service revolver to prevent an auto theft.

Duncan was suspended from duty after the shooting occurred in February, but the Town Council's Police Committee decided that the officer was fully justified in shooting out the tire of his own cruiser to prevent its being stolen.

Tolbert C. Dewees, 36, has been charged with assault and battery with intent to kill and grand larceny, auto, following the incident, which occurred when Duncan was assigned to investigate a domestic dispute and subsequently attempted to arrest Dewees.

According to officers' reports, Dewees attempted to flee the scene of the dispute by taking Officer Duncan's car. Duncan and a bystander, Randolph Cook, grabbed Dewees and tried to pull him from the cruiser, but Dewees threw the car into reverse and — with both men still hanging on — drove off.

Officers said Duncan fell off the cruiser, drew his revolver, and fired three shots, puncturing a tire. The cruiser then left the road, knocking Cook free.

Dewees then parked the cruiser, officers said, and returned to the scene, where Summerville police arrested him.

No injuries were reported.

Administrative suspension is a routine procedure when an officer has fired shots during an arrest attempt.

CAVE's Lobbying Efforts Achieve Extraordinary Legislative Results

Ordinary citizens fed up with violence and fear are eliciting some hard decisions about crime and criminals in South Carolina.

In two brief years, CAVE — Citizens Against Violent Crime — has amassed thousands of members in Charleston, Columbia, Florence and Greenville, and it has become one of the most powerful lobbies ever to hit the State House with emphatic demands for justice that is swift, tough and long-lasting.

CAVE members support stiff sentences and tight parole regulations. They 'overwhelmingly support the death penalty, and they want a life sentence to mean what it says. They want victims present at parole hearings, and they want an end to criminals' getting off on technicalities.

And they want prisoners back in stripes to discourage escapes.

CAVE members monitor court trials to analyze how laws are enforced and to direct the organization's efforts toward reform of the judicial process. They're working on development of a victims' bill of rights, and they are bombarding the General Assembly with a public mandate to hang tough.

Last year CAVE won a Presidential citation for community service, but rejected Gov. Dick Riley's award for volunteer work because the governor's

concern about prison overcrowding had led to changes in his Omnibus Crime Bill — changes that CAVE said weakened the measure and guaranteed release of violent criminals onto the streets.

CAVE successfully shaped the bill that passed the Senate, a bill which focused on decentralization of the prison system and restitution for crime. Compromises to CAVE required five years without parole for use of a gun in committing a violent crime, and no parole for repeat violent offenders and murders. CAVE also won a two-year interval between parole hearings for violent offenders.

But the bill did not get to the House of Representatives in time for consideration last session, and this year, CAVE members were back in force to work on the House.

In the House version, CAVE won tougher penalties for violent criminals, while the governor won greater flexibility for rehabilitating first-time offenders, violent and non-violent.

Rather than putting criminals serving sentences of less than a year in county jails instead of state prisons — as Gov. Riley had proposed — the bill in its present form would establish six regional centers for restitution. Inmates would work during the day to pay for their incarceration and to make restitution to victims.

The final version of the bill was produced by a conference committee.

CAVE's strength lies largely in sheer numbers. More than 40,000 members, who are predominantly upper and middle-class citizens, reflect a trend of frustration and fear among law-abiding people who also happen to be voters.

The rapid growth of CAVE has emphasized to lawmakers the widespread dissatisfaction in the state.

Founder James Grego of Charleston was initially surprised at the tremendous response he received to his first full-page newspaper advertisement inviting citizens who shared his views to join forces against crime and criminals.

That ad drew 1,200 letters and \$1,500 in donations.

Within three days, Grego had endorsements from public officials, civic leaders, law enforcement officials and private citizens.

Within a week, donations had climbed to \$10,000.

"Obviously people are very, very upset," Grego said. "They're frustrated more than anything else. Frustration is probably the strongest emotion I find running through all the letters. Disillusionment. Frustration. Utter helplessness."

More than 500 people attended CAVE's first state-wide rally last August.

Grego founded CAVE in February, 1984, after a series of violent crimes in Charleston, including an attack on one of his daughters.

Nina Grego, 21, was shot as she waited for a red light to change in downtown Charleston. She almost didn't survive. Her assistant has never been caught.

Grego, a retired Navy submarine commander who lives at Seabrook Island, placed the ad two weeks later urging citizens to unite against "violent criminals who have taken control of our streets."

The result is already legend.

The other major force behind CAVE is its Columbia leader and statewide president, businessman Ray Rossi, whose college-age daughter, Bobbi, was raped and murdered in 1984. Two of her killers are serving life sentences, and the triggerman is on Death Row.

Grego and Rossi both decry the hint of vigilantism. They say their efforts are all directed in working through the system — and changing it to balance the scales of justice more for the victim and private citizen who obeys the law than for those who abuse the law and others.

One effect of CAVE has been highly visible support for the efforts of law enforcement in South Carolina.

Changes, Awards, Honors

Saluda Sheriff Booth Chooses SLED Career

SALUDA COUNTY SHERIFF, George Booth has resigned his position, effective July 1, to become an agent for the State Law Enforcement Division. Booth was elected "Sheriff of the Year" by the S.C. Sheriffs' Association for the year 1985. He is currently serving his second term as sheriff in Saluda, and he was named "Law Enforcement Officer of the Year" for '85 in that county. He is the immediate past president of the state Sheriffs' Association.

Saluda's loss is the state's gain. "We are delighted to have George Booth on our force," SLED Chief J.P. Strom said this week. "We consider him to be a fine man and an outstanding investigator."

In 1985, Booth was the "unsung hero" in one of the state's most notorious murder cases, and the work of his department was a major factor in the arrest of Larry Gene Bell for the kidnapping and murder of Lexington County teenager Shari Smith. Her body was found behind a Masonic lodge in Saluda County, and she was apparently killed near the Saluda Traffic Circle.

Bell was convicted and sentenced to death for the crime in February.

Sheriff Booth is a part-time instructor at the state Criminal Justice Academy, and he serves on the board of advisors to Piedmont Technical College, the Jail Overcrowding Project, and the Adjutant General's Committee To Develop a State Policy on Hazardous Waste Spills and Disasters.

He organized a county-wide crime watch program that has received national recognition, and his department sponsors an annual Youth Day and a toy drive for children at Christmas.

★ ★ ★

A NEW STATE Highway Patrol building in Walterboro will be named for Trooper 1st Class Edward Peeples, who was slain in the line of duty in 1979.

Trooper Peeples, a native of Barnwell, was fatally shot by a motorcyclist whom he stopped for speeding on a rural road north of Walterboro.

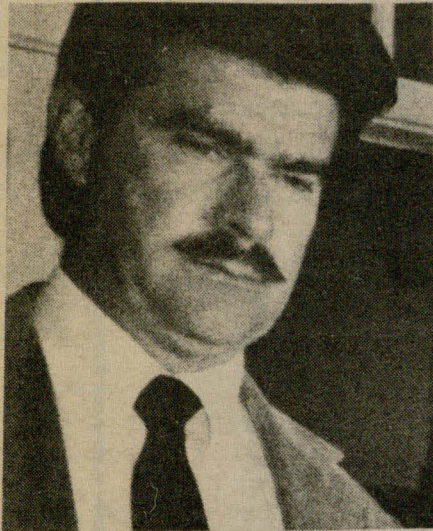
The state Highways and Public Transportation Commission voted to name the new Walterboro facility for Peeples on a motion from Commission H.C. Lawton of Ridgeland. Construction is underway.

★ ★ ★

FORMER LIEUTENANT Charles Jones, a 13-year veteran of the Lexington County Sheriff's Department, is now chief night administrative judge for the county.

The night administrative judge is empowered to set bond, issue warrants as needed, and to clear the county jail docket every morning.

Jones, 39, began his law enforcement career as a patrolman with the West Columbia Police Department. In 1974, he was hired by the Lexington County Sheriff's Department as an investigator. He later worked in the juvenile division and court services division. For eight years, he was lieutenant in charge of investigations. Jones is Lexington Coun-



SHERIFF GEORGE BOOTH
"Sheriff of the Year."

ty's second black magistrate.

★ ★ ★

CENTRAL POLICE CHIEF, Frank Cantrell is the author of an article in the April edition of *Law and Order* magazine, a national law enforcement publication.

The article concerns a tuition/protection agreement between the Central Police Department and Central Wesleyan College, under which the department provides free patrols and investigative services in return for free tuition for full-time officers.

★ ★ ★

INVESTIGATOR GLENN W. GREER was named "Public Safety Officer of the Year" for 1985 at February's annual Awards Banquet of the Spartanburg Public Safety Committee.

A 23-year veteran of the Spartanburg Police Department, Greer is assigned to General Sessions Court. He was nominated by fellow officers.

This year two public safety officers received community relations awards.

Sgt. Azon Downs was chosen for his efforts to build a positive image of law enforcement among youth in his community. He serves as a surrogate father to many youngsters in his neighborhood and other parts of the city.

And Public Safety Officer Douglas Horton was cited for his off-duty presentations to schools, civic groups and youth organizations. He plays Santa Claus each year for retarded children at Whitten Village, and for numerous organizations.

The Spartanburg Crime Stoppers program gave its first award to Sgt. Curtis Crowe for his work in solving crimes from tips to the program.

★ ★ ★

PROSPERITY POLICE CHIEF Paul A. Whitman has been named Newberry County's "Law Enforcement Officer of the Year" for 1985 in the local Exchange Club's annual program to recognize the efforts of law enforcement personnel.

Whitman was named chief of police in July 1984, after eight months as assistant chief. He was previously a patrolman with the Prosperity Police Department and a deputy with the Newberry County Sheriff's Department.

The Exchange Club also recognized

Cpl. Thomas Nichols, who was nominated by the Highway Patrol for his work in Newberry County; Senior Deputy Allen W. "Deacon" Livingston of the county sheriff's department; and Cpl. Gene Wicker, nominated by the Newberry Police Department.

★ ★ ★

RICHARD P. CANNADY has been named 1985 "Officer of the Year" by the Greenville Rotary Club for his law enforcement presentations in local schools with his mechanical sidekick, "Officer Mac."

Cannady teaches schools safety and crime prevention with the help of "Officer Mac," a talking robot with a video screen.

Cannady, who joined the uniform patrol division of the Greenville Police Department in 1975, has worked with public education since 1977. He is a coordinator of community "Crime Watch" programs with Officer C.J. Sims, and he runs the "Officer Friendly" program, which teaches children in kindergarten through third grade about safety.

Cannady and Sims also make presentations to PTA groups and senior citizens.

★ ★ ★

FOUR CHARLESTON COUNTY police officers have received special commendations for their involvement in the investigation, arrest, and death penalty trial of Fred H. Kornahrens III last fall.

The state Attorney General's Office and 5th Circuit Solicitor James C. Anders commended Detective Sgt. Paul Hawkins, Detective Chevalier Harris and investigators John Hart and Frank Smith.

Anders prosecuted the case after 9th Circuit Solicitor Charles M. Condon was removed to avoid appearance of prejudice after Kornahrens allegedly threatened to kill him.

In a letter to Charleston County Police Chief Walter C. Gay, Assistant Attorney General G. Wells Dickson said of the four commendees, "It was due to their unquestionable abilities, diligence and unfailing support — that we were successful in obtaining the death penalty for the three murders committed by Kornahrens."

Kornahrens was convicted of killing his former wife, her son and her father last year. He stabbed them to death with a bayonet and buried their bodies several miles away from the murder scene on Yonge's Island.

★ ★ ★

LT. CHARLES P. AUSTIN of the State Law Enforcement Division has been elected president of the National Governors' Security Association, a group of state police officers who provide security for governors of the 50 states and four U.S. territories.

Austin was elected during the group's annual meeting in Washington this spring.

He will head the organization for two

(See CHANGES, Back Page)

Deaths

(Continued from Page 3)

Schwarting had only recently retired his post as chief of police.

He was born Aug. 15, 1910, in Bamberg, a son of John Schwarting and Sara Hutto Schwarting. He was a member of Ornan Lodge 38, AFM, and of the S.C. Law Enforcement Officers Association.

JOHN DONNELLY LEATH, an investigator for the State Law Enforcement Division, died Jan. 22. He was 38.

Leath, a native of Charleston, was a graduate of Cardinal Newman High School in Columbia and he received an associate degree in criminal justice from the University of South Carolina. He was a graduate of the S.C. Criminal Justice Academy.

He transferred to Georgetown County in 1978 to serve as a resident agent, and in his position, he assisted local law enforcement agencies in the Grand Strand area. In 1984, he was promoted to the rank of lieutenant.

Leath attended and successfully completed numerous specialized seminars in law enforcement, including several drug enforcement schools sponsored by the U.S. Department of Justice. He worked at SLED in various investigative capacities, including narcotics, arson, and other criminal investigations.

He was a member of Pawley's Island Catholic Mission.

JOHN PETER RAYMOND, a former sheriff of Jasper County, died Feb. 12 in a Savannah, Ga., hospital.

Raymond was born in Jasper County, the son of John P. Raymond and Mae Louise McDonald Raymond. He served as a consultant to the S.C. State Law Enforcement Division, and he was a member of the S.C. Sheriff's Association, and of the Hardeeville Marine Rescue Squad.

JOHN BROADUS MAYBRY, 83, retired Spartanburg law enforcement officer, died Feb. 20 in Mary Black Memorial Hospital.

Maybry, a native of Campobello, was the son of the late William Isham and Alice Potter Maybry.

He served Spartanburg as a law enforcement officer for 30 years; then, in retirement, he served as a school guard at Park Hills School for 13 years.

He was a member of First Baptist Church of Spartanburg.

BLEASE C. CASSIDY, retired Hartsville police officer, died Feb. 16 at the age of 73.

Cassidy served the Hartsville Police Department for 23 years.

Born in Darlington County, he was the son of the late Gillum C. and Eliza Brown Cassidy. He was a member of Kellytown Baptist Church, Hartsville Masonic Lodge No. 173, and the S.C. Law Enforcement Officers Association.

Changes

(Continued from Page 1)
years, and during that time he also will work with federal law enforcement officials in protective surity assignments.

Austin has been with SLED for 10 years, seven of them in protective services.

JOHNNY IVEY has been named coordinator of the Jonesville Police Department.

Ivey has 10 years' experience with the Union City Police Department and the Union County Sheriff's Department.

LINCOLN A. "AL" WANGERIAN has been named chief of the Holly Hill Police Department.

Wangerian replaces A.D. Myers, who resigned to enter private business.

Wangerian is a former detective for the Nassau County, N.J., Police Department, and he had served as police chief in Elloree and Vance.

His position in Vance has been assumed by Elwad Shaw Jr., a native of Vance and a graduate of Voorhees College with a sociology major and a minor in criminal justice.

Shaw worked for a year in Elloree as a police officer under Wangerian.

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